

1 A bill to be entitled
 2 An act relating to cemeteries; amending s. 497.260,
 3 F.S.; exempting certain religious-institution-owned
 4 cemeteries from provisions of the Florida Funeral,
 5 Cemetery, and Consumer Services Act relating to
 6 cemeteries; amending s. 497.452, F.S.; deleting
 7 obsolete provisions; conforming a provision to changes
 8 made by the act; providing an effective date.

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 10 Be It Enacted by the Legislature of the State of Florida:

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 12 Section 1. Paragraph (j) is added to subsection (1) of
 13 section 497.260, Florida Statutes, to read:

14 497.260 Cemeteries; exemption; investigation and
 15 mediation.—

16 (1) The provisions of this chapter relating to cemeteries
 17 and all rules adopted pursuant thereto shall apply to all
 18 cemeteries except for:

19 (j) A religious-institution-owned cemetery larger than 5
 20 acres and a maximum of 60 acres if the religious institution:

21 1. Limits burial rights in the cemetery to members of the
 22 religious institution and their families.

23 2. Provides an annual certification to the department that
 24 it maintains funds sufficient to cover maintenance costs and
 25 pre-need arrangements in a separate account designed solely for
 26 such purposes. The funds must be held in a designated account

27 with a financial institution as defined in s. 280.02(13) and the
 28 account must maintain a minimum balance of \$2,000,000. The
 29 annual certification must be made under oath and must identify
 30 the financial institution and the account number where the funds
 31 are maintained.

32 Section 2. Subsection (4) of section 497.452, Florida
 33 Statutes, is amended to read:

34 497.452 Preneed license required.—

35 (4) ~~The provisions of~~ This section does ~~de~~ not apply to
 36 religious-institution-owned cemeteries exempt under s.
 37 497.260(1)(d) or (j), ~~in counties with a population of at least~~
 38 ~~960,000 persons on July 1, 1996,~~ with respect to the sale to the
 39 religious institution's members and their families of interment
 40 rights, mausoleums, crypts, cremation niches, cremation
 41 interment containers, vaults, liners, urns, memorials, vases,
 42 foundations, memorial bases, floral arrangements, monuments,
 43 markers, engraving, and the opening and closing of interment
 44 rights, mausoleums, crypts, cremation niches, and cremation
 45 interment containers, if such cemeteries ~~have engaged in the~~
 46 ~~sale of preneed contracts prior to October 1, 1993,~~ and maintain
 47 a positive net worth at the end of each fiscal year of the
 48 cemetery.

49 Section 3. This act shall take effect July 1, 2014.